



Patent Docket P1003R1C1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Robert Akita et al. Serial No.: 09/825,584 Filed: April 4, 2001 For: ISOLATED NUCLEIC ACIDS, VECTORS AND HOST CELLS ENCODING ErbB3 ANTIBODIES (AS AMENDED)	Group Art Unit: 1642 Examiner: Christopher Yaen Confirmation No: 3718 CUSTOMER NO: 09157 EXPRESS MAIL LABEL NO.: <u>EV 351 927 300 US</u> DATE OF DEPOSIT: <u>FEBRUARY 4, 2005</u>
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NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated August 10, 2004, of the Primary Examiner finally rejecting claims 22-33 and 36-51.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$500 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. **A duplicate copy of this Notice is enclosed for this purpose.**

Respectfully submitted,
GENENTECH, INC.

Date: February 4, 2005

By:

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